

REMARKS

Entry of this Amendment is respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claim 1-30 are pending and stand rejected.

Claims 1-30 stand rejected under 35 USC 103(a) as being unpatentable over Zhang (USP no. 6,550,008) in view Applicant's Admitted Prior Art (AAPA) and further in view of Sawabe (USP no. 6,571,055). The Office Action states that Zhang, which was cited in the prior Office Action, teaches the elements of claim 1, but fails to teach "the reply message includes at least one control information pair, each control information pair having copy control information and a stream identifier and the keys are generated using the at least one control information pair." The Office Action further refers to Applicant's Admitted Prior Art, which was referred to in the prior Office Action, for teaching "one control information pair each pair having a copy control information and a stream identifier" and Sawabe for teaching the "keys are generated using the at least one control information pair (fig. 2, ref. numb 241B and 241D)."

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

Zhang teaches a method and apparatus for protecting information communicated between a first and second device, which includes generating a request to a third device. The request includes information identifying the first and second devices. The third device verifies the first and second devices based on the information in the request. Predetermined information is sent to at least one of the first and second devices and the first and second devices authenticate each other based on the predetermined information. (see Abstract).

The AAPA is a standards document for telecommunications. As stated in the specification, the AAPA includes a 7-bit field in the PES header that allows for "additional copy info." However, AAPA fails to disclose that the stream identifier is stored in the 7-bit field to be used for additional copy info. (see page 11-12).

Sawabe discloses recording information that comprises a plurality of information units each including heading information and divided-compressed audio information obtained by dividing compressed audio information so as to include one or a plurality of lead data positioned at a [head] of compressed partial audio information. (see Abstract). Sawabe discloses, in fig. 2, which is referred to in the instant Office Action, that a packet includes a stream ID 241b and copy information 241d. However, Sawabe fails to provide any teaching with regard to the further use of the stream ID or the copy information.

Applicant believes that Sawabe is recited to show that the stream ID may be included in the 7-bits of the "additional copy info" field referred to by AAPA. However, Sawabe fails to provide any teaching of the claim element "the keys generated using the at least one control information pair," as Sawabe fails to show any use for the stream ID and the copy information.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, the combination of the cited references fails to teach all elements recited in the claims. Hence, even if there were some motivation to combine teachings of the cited references, the combination would not render obvious the invention claimed as the combined device fails to recite all the elements claimed.

For at least this reason, applicant submits that the rejection of the claim 1 has been overcome and respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected citing the same references used in rejecting claim 1. Thus, applicant's remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of the remaining independent claims.

In view of the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of the remaining independent claims, applicant submits that the reason for the rejection of these claims has been overcome and respectfully requests withdrawal of the rejection and allowance of the claims.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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